

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

OLIVER LEE,	:	No. 3:19cv323
	:	
Petitioner	:	
v.	:	(Judge Munley)
	:	
SUPERINTENDENT MCGINLEY,	:	(Magistrate Judge Carlson)
JOSH SHAPIRO,	:	
	:	
Respondents :		

.....

ORDER

On February 27, 2019, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court transfer Oliver Lee's 28 U.S.C. § 2254 petition to the United States District Court for the Eastern District of Pennsylvania. No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error. Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed). Regardless of whether timely objections are made, district courts may accept, not accept,

or modify—in whole or in part—the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule 72.31. This Court has reviewed the Report and Recommendation and has found no clear error on the face of the record. Consequently, it is hereby ORDERED that:

1. Magistrate Judge Martin C. Carlson's Report and Recommendation (Doc. 4) is ADOPTED IN ITS ENTIRETY;
2. The Clerk of Court is directed to TRANSFER this case to the United States District Court for the Eastern District of Pennsylvania; and
3. The Clerk of Court is directed to CLOSE this case.

Date:

3/29/19

BY THE COURT:

s/James M. Munley

**JUDGE JAMES M. MUNLEY
United States District Court**